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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 JAMES DEAN WILKS,) CASE NO. C07-2084-MJP-MAT
09 Plaintiff,)
10 v.) ORDER DENYING DEFENDANTS'
11 SGT. STOWERS, et al.,) MOTION TO CONSOLIDATE CASES
12 Defendants.)
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14 This is a civil rights action brought under 42 U.S.C. § 1983. Defendants have filed a
15 motion to consolidate this case with another of plaintiff's pending cases, Case No. C08-386-MJP-
16 MAT. The Court, having considered the motion, does hereby find and ORDER as follows:

17 (l) Defendants' motion to consolidate (Dkt. No. 15) is DENIED. Rule 42 of the
18 Federal Rules of Civil Procedure provides that cases may be consolidated if they "involve a
19 common question of law or fact." Fed. R. Civ. P. 42. Here, defendants contend that because
20 these two actions share four defendants and similar allegations, the actions should be consolidated.
21 (Dkt. No. 15 at 1). Upon review of the record, however, it is apparent that Case No. C08-386-
22 MJP-MAT has twenty-one defendants that it does not share with Case No. C07-2084-MJP-MAT.

01 Therefore, the two cases do not strike the Court as having enough in common to warrant
02 consolidation.

03 (2) The Clerk is directed to send a copy of this Order to plaintiff and to counsel for
04 defendants.

05 DATED this 24th day of October, 2008.

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08 Mary Alice Theiler
09 United States Magistrate Judge
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